

VIA eFILE

PATENT APPLICATION

Docket No. 16906.4.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
		)
	Arash Massoudi	)
		)
Serial No.:	10/711,322	) Art Unit
		) 2191
Confirmation No.:	5321	)
		)
Filed:	September 10, 2004	)
		)
For:	SEMANTIC-BASED TRANSACTIONAL	)
	SUPPORT AND RECOVERY FOR NESTED	)
	COMPOSITE SOFTWARE SERVICES	)
		)
Examiner:	Qing Chen	)

TERMINAL DISCLAIMER

VIA eFILE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

The Owners, NEXTAXIOM TECHNOLOGY, INC., having 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of reference application No. 10/711,318 (U.S. Patent No. 7,533,387), as the term is defined in 35 U.S.C. §§ 154 and 173, and as the term of said reference application is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the reference application are commonly owned. This Agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on said reference application, "as the term

of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application, "in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 6<sup>th</sup> day of May, 2009.

Respectfully submitted,

/Sara D. Jones/Reg. No. 47,691  
SARA D. JONES  
Registration No. 47,691  
Attorney for Applicant  
Customer No. 233178